IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3395 OF 2005

Shri Kaizer Noman Latif ... Petitioner

V/s.

Shri Girish Tulsidas Gandhi ... Respondent

Mr.Y.S. Jahagirdar i/b Ms.A.M. Bhmbwani for Petitioner
Mr.Mohan Pungliya for Respondent

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **AUGUST 16, 2005**

P.C.:

. The Petitioner has challenged the concurrent finding of facts arrived at by both the Courts below. The trial Court has decreed the suit filed by the Respondent for eviction. The Appellate Court has confirmed this order. Both the Courts have found that the Petitioner who is the defendant had acquired suitable alternate accommodation at Pune. The suit premises were required by the respondent bonafide and reasonably as he wanted to shift to Pune from Mumbai. In my view, there is no need to interfere with the concurrent findings of facts by both the Courts below. Petition is therefore, rejected. All contentions of the parties are kept open.

2. Time to vacate the suit premises is granted for a period of six weeks from today subject to the Petitioner filing an undertaking in the usual terms in this Court within two weeks from today.